



12/11/03

## MESSAGES FROM THE GOVERNOR

### State Waterways Commission

- The Senate approved the appointment of Janet M. Mansfield to the State Waterways Commission [RC 600: 38 yes, 0 no].
- The Senate approved the appointment of Carol B. Oakley to the State Waterways Commission [RC 601: 38 yes, 0 no].
- The Senate approved the appointment of Curtis A. Hertel Sr. to the State Waterways Commission [RC 602: 37 yes, 1 no].

## FINAL PASSAGE

### SB 556 (Johnson)

#### SCHOOL AID SUPPLEMENTAL

- Committee 1 (S-2) was adopted [no RC].
- SB 556 was moved to 3<sup>rd</sup> Reading.
- SB 556 passed with IE [RC 628: 38 yes, 0 no].

### SB 635 (Hammerstrom)

Senate Bill 635 would allow for an individual under 60 years to be admitted to “home for the aged” if it is determined to be in the best interest of the individual by: the individual, the individual’s guardian or representative, the individual’s physician and the owner, operator or governing body of the home.

Support: DCH, CIS, MAHSA, MI Center for Assisted Living, MI Assisted Living Assn.

- Patterson 1 (1 amend) was adopted [no RC].
- Hammerstrom 2 (1 amend) was adopted [no RC].
- SB 635 was moved to 3<sup>rd</sup> Reading.

### SB 672 (Cassis)

### SB 673 (George)

## BUSINESS TAX BREAK FOR HEALTH CARE COSTS

Senate Bills 672-73 would (partially) eliminate from the tax base any health care costs paid by businesses/taxpayers. Each bill would reduce the health care component of the tax base by one-fifth (20%) so that after two years health care costs would be reduced by 40%. The bills would reduce taxes by \$15 million in the first year and \$37 million in the second year, for a total savings of \$52 million during the two years.

**SB 672:**

- Committee 1 (S-4) was adopted [no RC].
- SB 672 was moved to 3<sup>rd</sup> Reading.
- SB 672 passed with IE [RC 611: 37 yes, 1 no].

**SB 673:**

- Committee 1 (S-3) was adopted [no RC].
- SB 673 was moved to 3<sup>rd</sup> Reading.
- SB 673 passed with IE [RC 612: 38 yes, 0 no].

### **SB 681 (CHERRY)**

Senate Bill 681 would provide that upon a legal motion by either party, the magistrate may permit the testimony of an expert witness to be conducted by means of telephonic, voice, or video conferencing.

- SB 681 passed [RC 606: 38 yes, 0 no].

### **SB 702 (Hammerstrom)**

Senate Bill 702 would allow the temporary placement of children with prospective adoptive parents who do not reside in Michigan

- SB 702 passed [RC 610: 36 yes, 0 no].

### **SB 780 (Cassis)**

Senate Bill 780 currently applies to two townships, Holly and Groveland. The townships are interested in converting an old gravel pit for commercial/high tech development. Much of the land in the two townships is actually owned by the DNR and protected from development. They want to reclaim 300-400 acres, half in Holly and half in Groveland.

- SB 780 passed [RC 603: 38 yes, 0 no].

### **SB 781 (THOMAS)**

Senate Bill 781 is part of a two-bill package designed to address a perceived shortcoming in the way in which non-participating manufacturers are treated relative to the tobacco settlement. The bills are designed to address a “loophole” in the settlement (and the legislation authorizing the state to join the settlement) under which an non-participating manufacturers is rewarded for concentrating sales in one or a few states.

- SB 781 was moved to 3<sup>rd</sup> Reading. No amendments.
- SB 781 passed [RC 623: 38 yes, 0 no].

### **SB 800 (Allen)**

**SB 801 (Allen)****SB 845 (Allen)****REDUCE GOVERNMENT WASTE**

Senate Bill 800 would provide for the electronic transmission and reproduction of administrative rules and notices required under rule-making procedures; and to provide for the Office of Regulatory Reform, rather than the Legislative Service Bureau, to certify rules as to form and arrangement.

- Committee 1 (S-1) was adopted [no RC].
- SB 800 was moved to 3<sup>rd</sup> Reading.
- SB 800 passed [RC 625: 37 yes, 1 no].

Senate Bill 801 would delete the requirement that the Department of Management and Budget distribute a specific number of the Public and Local Acts for legislators; and require the Legislative Service Bureau to publish at least one print copy and make the Public and Local Acts available on the Internet.

- SB 801 was moved to 3<sup>rd</sup> Reading. No amendments.
- SB 801 passed [RC 626: 37 yes, 0 no].

Senate Bill 845 would require the State central committee of a political party to forward to the Secretary of State the names of its candidates for U.S. President and Vice President within one business day after the party's State or national convention; and require the Secretary of State, rather than the State central committee of a political party, to forward to county boards of election commissioners the names of the candidates nominated at the party's State convention.

- SB 845 was moved to 3<sup>rd</sup> Reading. No amendments.
- SB 845 passed [RC 627: 38 yes, 0 no].

**SB 811 (Cassis)**

Senate Bill 811 would state property tax law to replace the definition of "special tools", and define "standard tool", for the purpose of a personal property tax exemption. [The "special tool" exemption was designed to allow the auto industry's model-specific (or short-lived) tools to be exempt from taxation as a means to assist that industry. The standard practice had been to only allow the exemption for products with built-in obsolescence (the clearest example is the automobile bumper) and not allow the exemption for products which do not change over time (hammers, wrenches).]

- Committee 1 (S-4) was adopted [no RC].
- SB 811 was moved to 3<sup>rd</sup> Reading.
- SB 811 passed with IE [RC 630: yes, no].

**SB 877 (Hammerstrom)****HB 4820 (Ward)****HB 4822 (JAMNICK)****HB 4823 (Brandenburg)****HB 4824 (Stakoe)****HB 4825 (Steil)****HB 4826 (Garfield)****HB 4827 (BROWN)**

## HB 4828 (Drolet)

### ELECTION CONSOLIDATION PACKAGE

These bills would: 1) Establish four regular election dates each year and generally require all elections to be held on those days, except for a special election called by the Governor or the Legislature. 2) Remove from school districts the power to administer and operate elections, and require that school elections be conducted by local units of government under the Election Law. 3) Require city and village regular elections to be held at the even-year November general election, and school district regular elections to be held at the odd-year November election. 4) Allow a city, village, or school district to choose an alternate date for its regular election, under certain conditions. 5) Require community college elections to be administered and conducted under the Election Law.

Support: Chamber, Townships, Sec. of State, Mich. Municipal League, Assoc. of County Clerks and Assoc. of Municipal Clerks.

Senate Bill 877 retains the “floater” date for a special election that is crucial to the education community. However, before the floater is used, the school must submit the question on a regular election date. If the measure does not pass, it may be put on a special election once in the same calendar year. This would essentially rule out putting school financing issues on the November date, as the petitions must be filed ten weeks before the proposed date of the special election.

- Committee 1 (S-2) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC]. Breaks tie-bar.
- Sikkema 1B (1 amend) was adopted [no RC]. Title: Hammerstrom election consolidation act.
- SB 877 was moved to 3<sup>rd</sup> Reading.
- THOMAS 1 (1 amend) was defeated [RC 614: 17 yes, 21 no]. This would allow school boards (with 2/3rds support) to hold a special election.
- SB 877 passed [RC 615: 29 yes, 9 no].

#### HB 4820:

- Committee 1 (S-2) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC]. Breaks tie-bar.
- HB 4820 was moved to 3<sup>rd</sup> Reading.
- HB 4820 passed [RC 613: 30 yes, 8 no].

#### HB 4822:

- Committee 1 (S-1) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC]. Breaks tie-bar.
- HB 4822 was moved to 3<sup>rd</sup> Reading.
- HB 4822 passed [RC 616: 36 yes, 2 no].

#### HB 4823:

- Committee 1 (S-1) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC]. Breaks tie-bar.
- HB 4823 was moved to 3<sup>rd</sup> Reading.
- HB 4823 passed [RC 617: yes, no].

#### HB 4824:

- Committee 1 (S-2) was adopted [no RC].
- Hammerstrom 1A (2 amends) was adopted [no RC].
- Hammerstrom 1B (1 amend) was adopted [no RC].
- HB 4824 was moved to 3<sup>rd</sup> Reading.
- JACOB 1 (1 amend) was defeated [no RC]. Schools could hold an election in June.
- HB 4824 passed [RC 618: 29 yes, 9 no].

#### HB 4825:

- Committee 1 (S-3) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC]. Breaks tie-bar.
- HB 4825 was moved to 3<sup>rd</sup> Reading.
- HB 4825 passed [RC 619: 38 yes, 0 no].

#### HB 4826:

- Committee 1 (S-1) was adopted [no RC].
- Hammerstrom 1A (1 amend) was withdrawn.
- Hammerstrom 1B (2 amends) was adopted [no RC]. Breaks tie-bar.
- HB 4826 was moved to 3<sup>rd</sup> Reading.
- HB 4826 passed [RC 620: 37 yes, 0 no].

#### HB 4827:

- Committee 1 (S-1) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC]. Breaks tie-bar.
- Hammerstrom 1B (4 amends) was adopted [no RC].
- HB 4827 was moved to 3<sup>rd</sup> Reading.
- HB 4827 passed [RC 621: 37 yes, 1 no].

#### HB 4828:

- Committee 1 (S-2) was adopted [no RC].
- Hammerstrom 1A (1 amend) was adopted [no RC].
- HB 4828 was moved to 3<sup>rd</sup> Reading.
- HB 4828 passed [RC 622: 27 yes, 10 no].

#### **SB 881 (Bishop)**

Senate Bill 881 requires a county executive, within 10 days of being sworn in, to appoint a chief deputy. The county executive may revoke the appointment at any time. If a vacancy occurs in the office of county executive for any reason, the chief deputy shall assume the duties. If the chief deputy is unable to serve, the next highest chief deputy shall assume the duties.

- Committee 1 (S-1) was adopted [no RC].
- Bishop 1A (1 amend) was adopted [no RC]. Line left out from bill.
- SB 881 was moved to 3<sup>rd</sup> Reading.
- SB 881 passed [RC 624: 37 yes, 0 no].

#### **HB 4367 (Shulman)**

#### SUPPLEMENTAL BUDGET

- Committee 1 (S-1) was adopted [no RC].
- Garcia 1A was withdrawn.
- Garcia 1B was adopted [no RC].
- Cropsey 1C was adopted [no RC].
- Garcia 1D was adopted [no RC]. Technical change.
- HB 4367 was moved to 3<sup>rd</sup> Reading.
- HB 4367 passed with IE [RC 629: 37 yes, 1 no (Patterson)].

#### **HB 4513 (Nofs)**

#### **HB 4514 (Van Regenmorter)**

### **FIGHT ELECTRONIC TERRORISM**

House Bill 4513 would define a “harmful electronic or electromagnetic device” as a device that does, or that was designed to, emit or radiate an electronic or electromagnetic pulse, current, beam, signal, or microwave intended to cause harm to others or cause damage to, destroy, or disrupt any electronic or telecommunications system or device including, but not limited to, a computer, computer network, or computer system.

- HB 4513 passed with IE [RC 607: 38 yes, 0 no].

House Bill 4514 would make it a crime to manufacture, deliver, possess, transport, place, use, or release a harmful electronic or electromagnetic device for an unlawful purpose. Penalties range from a 15 year felony with a \$10,000 fine to a life sentence without parole and a \$40,000 fine depending on the injuries sustained by the victim/s.

- HB 4514 passed with IE [RC 608: 38 yes, 0 no].

#### **HB 4896 (Richardville)**

House Bill 4896 allows the art of falconry to continue to operate in Michigan. An analysis of the past four years since the act was first signed into law shows that the experience has been positive and that there has been a minimal impact on the wildlife of Michigan.

Support: MUCC, DNR, Michigan Audubon Society, Michigan Hawking Club.

- HB 4896 passed with IE [RC 604: 36 yes, 2 no].

#### **HB 4899 (Julian)**

House Bill 4899 would allow a person authorized by supreme court rule to serve process or a paper issued by or filed with a court in this state to receive “traveling fees” for the service from the place where the court that issued or filed the process or paper is located to the place of service, not to exceed 75 miles each way.

- HB 4899 passed with IE [RC 609: 37 yes, 1 no (Sanborn)].

#### **HB 5270 (Nofs)**

House Bill 5270 provides a structure for a revolving loan program which would serve local units of government and Brownfield redevelopment authorities. The House amended the bill to add more specificity around the requirements for the loan. This bill is the same as SB 806 as amended by the House.

- **HB 5270 passed with IE [RC 605: 37 yes, 0 no].**

## **THIRD READING**

**HB 4480 (Robertson)**

**HB 4481 (STALLWORTH)**

**HB 4482 (DeRossett)**

**HB 4483 (KOLB)**

**HB 4484 (Gaffney)**

**HB 4488 (JAMNICK)**

House Bills 4480-88 present an innovative approach to relieving the state and local units of tax reverted parcels, and returning the property both to productive use and to the tax rolls. Tax reverted property generates no tax revenue unless it is returned to the tax rolls, which means that the property must be marketable and willing buyers must exist. Instead of continuing to receive nothing—no tax revenue—governmental units would receive 50 percent of the specific tax collected on property sold by a land bank. After five years, the property again would be subject to the property tax.

Initially, the land bank authorities would receive and “bank” a number of tax reverted parcels, which the authorities could dispose of in a variety of ways. If the title to tax reverted property were questionable, an authority could take advantage of the expedited process for quieting title. Reportedly, the cost of clearing title is about \$500 to \$1,000 for each parcel when there are not problems, such as environmental issues or necessary demolition. Under the proposed legislation, a land bank authority could clear title to many parcels at one time, batching them for an expedited judicial procedure. With clear title, the authority could proceed to sell the properties, or otherwise convey them. A land bank authority could generate revenue by selling property that was transferred to it (or that it purchases) by issuing bonds and notes, leasing property to tenants, and charging for the use of property.

Support: Mich. Municipal League, Mich. Assoc. of Counties, Detroit Chamber of Commerce, Home Builders, Treasurers from Oakland and Genesee, Mich. Assoc. of Realtors.

**HB 4480:**

- **HB 4480 was moved to 3<sup>rd</sup> Reading. No amendments.**

**HB 4481:**

- **HB 4481 was moved to 3<sup>rd</sup> Reading. No amendments.**

**HB 4482:**

- **HB 4482 was moved to 3<sup>rd</sup> Reading. No amendments.**

**HB 4483:**

- **Committee 1 (S-1) was not adopted [no RC].**
- **Cassis 2 (S-2) was adopted [no RC].**
- **Cassis 2A (6 amends) was adopted [no RC]. Technical changes.**
- **Cassis 2B (1 amend) was adopted [no RC]. Technical change: cleanup language.**
- **HB 4483 was moved to 3<sup>rd</sup> Reading.**

**HB 4484:**

- **Cassis 1 (S-2) was adopted [no RC].**

- Cassis 1A (1 amend) was adopted [no RC]. Technical change: spelling cleanup.
- Cassis 1B (1 amend) was adopted [no RC]. Technical change: cleanup language.
- HB 4484 was moved to 3<sup>rd</sup> Reading.

HB 4488:

- HB 4488 was moved to 3<sup>rd</sup> Reading. No amendments.

### **HB 4786 (Kooiman)**

House Bill 4786 would allow minor to perform unpaid volunteer work under adult supervision for a charitable housing organization. The bill is intended to allow youth groups to volunteer their time on projects like Habitat for Humanity. Currently, children who volunteer on charitable housing construction sites could be found in violation of the state child labor law.

Support: Department of Labor and Economic Growth, Habit for Humanity of Michigan.

- Committee 1 (S-1) was adopted [no RC].
- HB 4786 was moved to 3<sup>rd</sup> Reading.

### **HB 5168 (Ward)**

House Bill 5168 changes the language of SB 520 (passed into law earlier this year) regarding the date for filing the affidavit regarding principal residence; changing the date from Dec. 31 to May 1.

- BRATER 1 (2 amends) was defeated [no RC].
- HB 5168 was moved to 3<sup>rd</sup> Reading.

## **RESOLUTIONS**

### **SR 182 (Hardiman)**

SR 182 would memorialize the Congress of the United States to enact legislation to provide greater protections against Identity Theft. The Resolution urges that measures be enacted to restrict the commercial use of Social Security Numbers as identification numbers and to allow consumers to freeze their credit reports to minimize losses.

- Committee 1 (S-1) was adopted [no RC].
- SR 182 was adopted [no RC].

### **SR 183 (Patterson)**

SR 183 would memorialize the Congress of the United States to provide that the statute of limitations for an identity theft suit is 2 years from the time the fraud was discovered.

- SR 183 was adopted [no RC].

### **SR 186 (BRATER)**



A resolution to memorialize the United States Congress to enact legislation to prohibit the use of a person's Social Security number as an identification number beyond its original purpose.

- SR 186 was adopted [no RC].